

29.04.2024

DL-34
Court No.29
(AD)
(Allowed)

C.R.M. (A) 994 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kulti** Police Station Case No.**624 of 2023** dated **13.11.2023** under Sections **417/376** of the Indian Penal Code, 1860 presently pending before the Court of the Learned Chief Judicial Magistrate, Paschim Bardhaman at Asansol (G.R. Case No.3244 of 2023).

And

In the matter of: **Md. Sajjad Khan alias Sahjad Khan**

....petitioner.

Mr. Avik Ghatak

Mr. Abhinav Rakshit

...for the petitioner.

Mr. Madhusudan Sur, Ld. APP

Ms. Pushpita Saha

... for the State.

Mr. Abdul Hamid Molla

Md. Feroz Khan

Md. Abdul Halim

... for the opposite party no.2.

1. Two adults entered into a consensual relationship knowing fully well the consequence of such relationship.
2. Apparently, petitioner is refusing to marry the de facto complainant.
3. State and the de facto complainant are represented.
4. In view of the fact that both the petitioner and the de facto complainant are adults, we grant anticipatory bail to the petitioner.
5. Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties of like amount each, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner will report before the

Investigating Officer once a week till the conclusion of the investigation and on condition that the petitioner shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

6. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
7. **C.R.M. (A) 994 of 2024** is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)